IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2084 OF 2007

Parshuram K.Shinde .. Petitioner.
Vs.
State of Maharashtra & Ors. .. Respondents.

Mr.C.J.Sawant i/b Ramesh Ramamurthy for the petitioner.
Mr.Shekhar Ingole AGP for the respondent.
Mr.Vijay M.Waghela for intervenor.

CORAM : D.B.BHOSALE, J.
DATED : 22ND OCTOBER, 2007.

P.C.:

. Heard learned counsel for the parties.

2. By this writ petition, the petitioners have challenged an order dated 11.6.2007 passed by respondent no.1 deleting the name of the petitioner from annexure-II without giving an opportunity of being heard to him. The learned A.G.P. has not controverted the statement made by the petitioners that the impugned order was passed without giving an opportunity of being heard to the petitioner. Mr.Waghela, learned counsel for the intervenor - Balaji Co-operative Housing Society submits that the name of the petitioner has been deleted from the impugned annexure-II in view of the fact that his name has been included in annexure-II of their society. Having considered the contentions urged by the learned counsel for the parties

I am satisfied that the following order shall meet the ends of justice:

(a) The order dated 11.6.2007 is set aside.

(b) Respondent No.1 - Additional District Collector (ENC) Western Suburbs, Mumbai is directed to decide deletion of the name of the petitioner from annexure-II afresh after giving an opportunity of being heard to the petitioner so also to the representative of Shri Balaji Co-operative Housing Society, intervenor in the present writ petition. Respondent No.1 to pass fresh orders as expeditiously as possible and preferrably within a period of eight weeks from the date of receipt of this order. All contentions are kept open.

. The petition is disposed of. While passing this order I shall not be understood to have expressed any opinion on the merits of the case.

(D.B.BHOSALE, J.)